



PATENTS  
112025-0205C1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re The Application of: )  
Jean Calvignac et al. )  
Serial No.: 09/706,969 )  
Filed: November 6, 2000 )  
For: IMPROVEMENTS IN NETWORK )  
TRAFFIC SHAPING )  
)

Examiner: Not Yet Assigned  
Art Unit: 2733

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
March 20, 2001

**EXPRESS-MAIL DEPOSIT**

“Express Mail” Mailing-Label Number: EL 605 361 838 US

The following papers are being deposited with the United States Postal Service  
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Oath or Declaration       Fee Transmittal Letter  
 Check No. 12060 for \$130       Response to Notice to File Missing  
Parts  
 Notice to File Missing Parts of Non-  
provisional Application



03-01-01

Section  
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Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
March 20, 2001

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Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Enclosed in response to the Notice to File Missing Parts of Application-Filing Date Granted mailed February 27, 2001, is a Declaration for Patent Application executed by the inventors, along with a check for \$130 to cover the filing fee and surcharge for this Response. The above-referenced application is a continuation of the parent application, Serial No. 08/991,911, filed on December 16, 1997, now issued as U.S. Patent No. 6,144,637, and the enclosed Declaration is a copy of the original Declaration filed in the parent case.

PATENTS  
112025-0205C1

Please charge any additional fee occasioned by this paper to our Deposit Account  
No. 03-1237.

Respectfully submitted,



A. Sidney Johnston  
Reg. No. 29,548  
CESARI AND MCKENNA, LLP  
88 Black Falcon Avenue  
Boston, MA 02210-2414  
(617) 951-2500



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/706,969	11/06/2000	Jean Calvignac	112025-0205C1

24267  
 CESARI AND MCKENNA, LLP  
 88 BLACK FALCON AVENUE  
 BOSTON, MA 02210

CONFIRMATION NO. 8857

## FORMALITIES LETTER



\*OC000000005806278\*

Date Mailed: 02/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202  
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/22/2001 GDEELA1 00000012 09706969

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# FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

See 37 C.F.R. §§ 1.27 and 1.28.

**TOTAL AMOUNT OF PAYMENT**

**(\$)** **130**

## Complete If Known

Application Number	09/706,969
Filing Date	November 6, 2000
First Named Inventor	Jean Calvignac et al.
Examiner Name	Not Yet Assigned
Group / Art Unit	2733
Attorney Docket No.	112025-0205C1

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit

Account Number

03-1237

Deposit

Account Name

Cesari and McKenna, LLP

Charge Any Additional Fee  Charge the Issue Fee Set in  
Required Under 37 C.F.R. §§ 1.16 at the Mailing of  
37 C.F.R. §§ 1.16 and 1.17 the Notice of Allowance

2.  Payment Enclosed:

Check  Money  Other  
Order

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	35	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>				<b>0</b>	

### 2. EXTRA CLAIM FEES

Total Claims	-	20**	=	0	Extra Claims	Fee from below	Fee Paid
Independent Claims	-	3**	=	0	0	0	0
Multiple Dependent				0			0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>				<b>0</b>

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	Fee (\$)
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920	112	920*
113	1,840	113	1,840*
115	110	215	55
116	390	216	195
117	890	217	445
118	1,390	218	695
128	1,890	128	945
119	310	219	155
120	310	220	155
121	270	221	135
138	1,510	138	1,510
140	110	240	55
141	1,240	241	620
142	1,240	242	620
143	440	243	220
144	600	244	300
122	130	122	130
123	50	123	50
126	240	126	240
581	40	581	40
146	710	246	355
149	710	249	355
<b>SUBTOTAL (3) (\$)</b>			

\*Reduced by Basic Filing Fee Paid

## COMPLETE (if applicable)

Submitted By			
Typed or Printed Name	A. Sidney Johnston	Reg. Number	29,548
Signature		Date	March 20, 2001
		Deposit Account User ID	